

BILL NO. S-73-01-20

SPECIAL ORDINANCE NO. S- 07-73

AN ORDINANCE approving Agreement with
HIPSKIND ASPHALT CORP. for construction
of a sanitary sewer in the area of
Trixholme Addition.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement approved January 15, 1973
between HIPSKIND ASPHALT CORP. as Developer, and the CITY OF FORT
WAYNE, by and through its Mayor and Board of Public Works, for
the construction of a sanitary sewer to serve the Trixholme
Addition, as follows:

Branch Sewer:

Beginning at an existing manhole located 7+ feet South
of the North property line of Franke Park and 66+ feet
west of the centerline of Spy Run Creek; thence East
along the North property line of Franke Park a distance
of 1,578+ lineal feet, to a proposed manhole located
near the Southwest corner of Lot #74 of Trixholme Addi-
tion, Section "D", as recorded in Plat Book 22, Page 3;
thence Southeasterly a distance of 620+ lineal feet to
a proposed manhole located in Morrow Way Drive 15+ lineal
feet South of the most Southerly point of space now or
formerly owned by Thomas L. and Susan Murphy, as recorded
in Deed Book 719, Page 144, thence East a distance of
452 feet, terminating at a proposed manhole located 17+
lineal feet North of and 14+ lineal feet East of the
Northeast corner of Lot #8 of Trixholme Addition, Section
"A", as recorded in Plat Book 17, Page 121.

LATERAL "A":

Beginning at a proposed manhole located on the North
property line of Franke Park at Station 4 + 18 on afore-
described Branch Sewer, said location more particularly
described as being located 126.75 feet East of the South-
west corner of space now or formerly owned by Arlington
Investment Corporation, as described in Deed Book 694,
Page 432-33; thence turning North an angle of 90 degrees
from said North property line of Franke Park, and pro-
jecting a distance of 155+ lineal feet, terminating at
a proposed bulkhead.

LATERAL "B":

Beginning at a proposed manhole located on the North
property line of Franke Park at Station 7+ 38 on afore-
described Branch Sewer, said location more particularly
described as being located 446.75 feet East of the South-
west corner of space now or formerly owned by Arlington
Investment Corporation, as described in Deed Book 694,
Page 432-33; thence turning North an angle of 90 degrees
from said North property line of Franke Park, and pro-
jecting a distance of 155+ lineal feet, terminating at
a proposed bulkhead.

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4 LATERAL "C":

5 Beginning at a proposed manhole located on the North
6 property line of Franke Park at Station 10 + 58 on
7 aforescribed Branch Sewer, said location more par-
8 ticularly described as being located 776.75 feet east
9 of the Southwest corner of space now or formerly owned
10 by Arlington Investment Corporation, as described in
11 Deed Book 694, Page 432-33; thence turning North an
12 angle of 90 degrees from said North Property line of
13 Franke Park, and projecting a distance of 155+ lineal
14 feet, terminating at a proposed bulkhead.

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16 Beginning at a proposed manhole located 15+ feet South
17 of the Southwest corner of Lot #74 of Trixholme Addition,
18 Section "D", as recorded in Plat Book 22, Page 3; thence
19 North along the West property line of said Lot #74 to
20 a proposed manhole located within the right-of-way of
21 Louisedale Drive 15+ lineal feet North of the Northwest
22 corner of said Lot #74; thence East 15+ lineal feet
23 North of and parallel to the South right-of-way of Louise-
24 dale Drive, terminating at a proposed manhole located 4
25 feet East of and 15+ lineal feet North of the Northwest
26 corner of Lot #15 of Trixholme Addition, Section "A", as
27 recorded in Plat Book 17, Page 121.

28 LATERAL "D-1":

29 Beginning at a proposed manhole within Louisedale Drive
30 right-of-way located 15+ lineal feet North of the North-
31 west corner of Lot #74 of Trixholme Addition, Section
32 "D", as recorded in Plat Book 22, Page 3; thence West
33 228+ lineal feet, terminating at an existing manhole
34 located 25+ lineal feet West of and 15+ lineal feet
35 North of the Northwest corner of Lot #76 of Trixholme
Addition, Section "D", as recorded in Plat Book 22, Page 3.

36 LATERAL "D-2":

37 Beginning at a proposed manhole located within Louisedale
38 Drive right-of-way located 28+ lineal feet West of and 16+ lineal
39 feet North of the Northeast corner of Lot #73 of Trixholme
40 Addition, Section "D", as recorded in Plat Book 22, page
41 3; thence due North 15+ lineal feet West of the East
42 right-of-way line of Hampton Avenue 686+ feet, terminating
43 at a proposed manhole located 15+ lineal feet West of and
44 5+ lineal feet North of the Southwest corner of Lot #62
45 of Trixholme Addition, Section "C", as recorded in Plat
Book 21, Page 29.

46 LATERAL "D-3":

47 Beginning at a proposed manhole located 10+ lineal feet
48 East of and 10+ lineal feet South of the centerline
49 intersection of Louisedale Drive and Kentland Avenue;
50 thence North 10 feet East of and parallel to the center-
51 line of said Kentland Avenue 700+ lineal feet, terminating
52 at a proposed manhole located 35+ lineal feet East of
53 and 12+ lineal feet North of the Southeast corner of Lot
54 #44 of Trixholme Addition, Section "C", as recorded in
55 Plat Book 21, Page 29.

56 LATERAL "E":

57 Beginning at a proposed manhole located within the
58 right-of-way of Morrow Way Drive where it joins Sylvia
59 Plaza; thence Southwesterly generally following the East

right-of-way line of Sylvia Plaza 680+ lineal feet to a proposed manhole located within the right-of-way of Loch Lomond Drive 16+ lineal feet South of and 7+ lineal feet West of the Southwest corner of Lot #40 of Trixholme Addition, Section "B", as recorded in Plat Book 18, Page 170; thence Easterly 16+ lineal feet South of and parallel to the North right-of-way line of Loch Lomond Drive 540 feet, terminating at a proposed manhole located 16+ lineal feet South of and 10+ lineal feet East of the Southwest corner of Lot #1 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

LATERAL "F":

Beginning at a proposed manhole within the right-of-way of Sherman Boulevard located 17+ lineal feet North of and 14+ lineal feet East of the Northeast corner of Lot #8 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121; thence Southerly 14+ lineal feet East of and parallel to the West right-of-way line of Sherman Boulevard 516+ lineal feet, terminating at a proposed manhole located 15+ lineal feet East of and 20+ lineal feet South of the Northeast corner of Lot #1 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

LATERAL "F-1":

Beginning at a proposed manhole within the right-of-way of Sherman Boulevard located 17+ lineal feet North of and 14+ lineal feet East of the Northeast corner of Lot #8 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121; thence North generally along and parallel to the West right-of-way line of Sherman Boulevard 380+ lineal feet, terminating at a proposed manhole located 11+ lineal feet East of and 10+ lineal feet North of the Southeast corner of Lot #14 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

All sewers shall be 8, 10, 12 and 15 inches in diameter, and all located within the Northeast quarter of Section 27, Township 31 North, Range 12 East and lying fully within the corporate limits of the City of Fort Wayne.

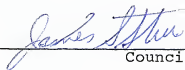
In addition to the normal assessment due for the above-mentioned improvement resolution, there will be a tap-in fee in the amount of \$300 per acre area connection charge for interceptor resolution #131 as set forth and adopted in Board of Works minutes, April 26, 1961.

the total cost of said sewer to be paid by Developer, all as more particularly set forth in said Sewer Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City

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4 of Fort Wayne, Indiana, who taps into the sewer main covered in
5 said Agreement, or any extension thereof, shall be deemed to
6 thereby waive his, her, their or its right to remonstrate against
7 or otherwise object to, interfere with, or oppose any pending or
8 future annexation by said City of Fort Wayne, Indiana, of such
9 land or territory in which said land is located.

10 SECTION 3. This Ordinance shall be in full force and
11 effect from and after its passage and approval by the Mayor.

12
13 
14 _____

Councilman

15
16 APPROVED AS TO FORM
17 AND LEGALITY, _____

18 _____
CITY ATTORNEY

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and to the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 1/23/73

Suspension of Rules,
Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Stier, seconded by Hingia, and duly adopted, placed on its passage. Passed (~~Lost~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Date: 1/23/73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. A-07-73 on the 23rd day of January, 19 73.

ATTEST:

Charles W. Westerman
CITY CLERK

(SEAL)

W. J. Ladd, Mayor
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1973, at the hour of 9:30 o'clock A M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 24th day of January, 1973, at the hour of 10:30 o'clock A M., E.S.T.

Sam A. Spang
MAYOR

SUSPENSION OF RULES

BILL NO. S-73-01-20

Councilman Stier, moved to suspend the rules on passage of BILL NO. A-73-01-20, at this meeting of January 23rd, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Hinga, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special ORDINANCE was accordingly placed on its passage.

DATE: 1-23-73

W. S. Allen, Jr.
PRESIDING OFFICER

Charles W. Whitman
CITY CLERK

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT</u>
	<u>9</u>	<u>0</u>			
<u>BURNS</u>	<u>✓</u>				
<u>HINGA</u>	<u>✓</u>				
<u>KRAUS</u>	<u>✓</u>				
<u>NUCKOLS</u>	<u>✓</u>				
<u>MOSES</u>	<u>✓</u>				
<u>D. SCHMIDT</u>	<u>✓</u>				
<u>V. SCHMIDT</u>	<u>✓</u>				
<u>STIER</u>	<u>✓</u>				
<u>TALARICO</u>	<u>✓</u>				

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No A-07-73

ATTEST:

(SEAL)

DATE: 1-23-73

Ch.
CITY CLERK

CONTRACT AND BOND

This Agreement, Made and entered into as of the 15 day of

January 19 73, by and between

-----HIPSKIND ASPHALT CORP.-----

the County of Allen and State of Indiana, party of the first part, and the City of Fort Wayne, County of Allen, State of Indiana, by and through its Board of Public Works, party of the second part, under and by virtue of an Act of the General Assembly of the State of Indiana, entitled "An act concerning municipal corporations," approved March 6, 1905, and the provisions of all acts amendatory thereto and supplemental thereof.

WITNESSETH, That the party of the first part covenants and agrees to construct

Branch Sewer:

Beginning at an existing manhole located 7 ± feet South of the North property line of Franke Park and 66 ± feet West of the centerline of Spy Run Creek; thence East along the North property line of Franke Park a distance of 1,578 ± lineal feet, to a proposed manhole located near the Southwest corner of Lot #74 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3; thence Southeasterly a distance of 620 ± lineal feet to a proposed manhole located in Morrow Way Drive 15 ± lineal feet South of the most Southerly point of space now or formerly owned by Thomas L. and Susan Murphy, as recorded in Deed Book 719, Page 144, thence East a distance of 452 feet, terminating at a proposed manhole located 17 ± lineal feet North of and 14 ± lineal feet East of the Northeast corner of Lot #8 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

LATERAL "A":

Beginning at a proposed manhole located on the North property line of Franke Park at Station 4 + 18 on aforedescribed Branch Sewer, said location more particularly described as being located 126.75 feet East of the Southwest corner of space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33; thence turning North an angle of 90 degrees from said North property line of Franke Park, and projecting a distance of 155 ± lineal feet, terminating at a proposed bulkhead.

LATERAL "B":

Beginning at a proposed manhole located on the North property line of Franke Park at Station 7 ± 38 on aforedescribed Branch Sewer, said location more particularly described as being located 446.75 feet East of the Southwest corner of space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33; thence turning North an angle of 90 degrees from said North property line of Franke Park, and projecting a distance of 155 ± lineal feet, terminating at a proposed bulkhead.

LATERAL "C":

Beginning at a proposed manhole located on the North property line of Franke Park at Station 10 ± 58 on aforedescribed Branch Sewer, said location more particularly described as being located 776.75 feet East of the Southwest corner of space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33; thence turning North an angle of 90 degrees from said North Property line of Franke Park, and projecting a distance of 155 ± lineal feet, terminating at a proposed bulkhead. (Continued on Page 3-A)

in full.

The said party of the first part further agrees to do and perform all of said work to the entire satisfaction of the Board of Public Works and to complete the same within _____ days after the date of Execution of this contract. To each of the conditions and stipulations of this contract the undersigned bind themselves, their successors and assigns.

IN WITNESS WHEREOF, We, the foregoing named parties hereunto set our hands this 15

day of

Jan 19 73

TRINITY UNIVERSAL INSURANCE COMPANY

BY: Tenney J. Ward

(Attorney-in-Fact)

HIPSKIND ASPHALT CORP.

BY: David L. Hipskind

ITS: Treas.

Contractor, party of the first part.

This contract approved by us this 15 day of January 19 73

BOARD OF PUBLIC WORKS,
Party of the second part.

APPROVED AS TO FORM AND LEGALITY

W. B. Co
CITY ATTORNEY

Mayor

LIABILITY BOND

KNOW ALL MEN BY THESE PRESENTS, That we

-----HIPSKIND ASPHALT CORP.-----

as principal and -----TRINITY UNIVERSAL INSURANCE COMPANY OF DALLAS, TEXAS.-----

as surety, are held and firmly bound to the City of Fort Wayne, Indiana, in the sum of ONE HUNDRED
NINETY FOUR THOUSAND, ONE HUNDRED NINETY DOLLARS (\$ 194,190.00)
for the payment of which well and truly to be made we jointly and severally bind ourselves, our heirs,
executors, administrators and assigns firmly by these presents.

The condition of the above obligations are such, that if the above named party of the first part shall
faithfully comply with the foregoing contract made and entered into the

day of _____, with the City of Fort Wayne, Indiana, and shall faithfully
fulfill all the conditions and stipulations therein contained, except the warranty and guaranty of the
sewer as to the workmanship, material and conditions for the period of Three (3) years, according to
the true intent and meaning thereof in all respects, then this obligation to be void, otherwise to be and
remain in full force and virtue in law and in the event the said City shall extend the time for the com-
pletion of said work, such extension shall not in any way release the sureties on this bond.

Witness our hands and seals this

day of

19 73

TRINITY UNIVERSAL INSURANCE COMPANY

BY: Terence J. Wood

(Attorney-in-Fact)

HIPSKIND ASPHALT CORP.

(SEAL)

BY: David L. Hyskind

(SEAL)

IIS: Trinity

(SEAL)

(SEAL)

Approved this

day of

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Board of Public Works.

The Contractor will furnish immediately a certificate from the Industrial Board of the
State of Indiana, that he has complied with Sections 5, 68, 69 of the Workmen's Compensation
Act, approved March 14, 1929, in accordance with Section 14 of the Compensation Act (Acts
1929, page 545, being Section 9459 of Burns Annotated Statutes Volume IV). (Section 40-
1214 Burns Annotated 1952 Revision - Volume VIII).

Beginning at a proposed manhole located 15 ± lineal feet South of the Southwest corner of Lot #74 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3; thence North along the West property line of said Lot #74 to a proposed manhole located within the right-of-way of Louisedale Drive 15 ± lineal feet North of the Northwest corner of said Lot #74; thence East 15 ± lineal feet North of and parallel to the South right-of-way of Louisedale Drive, terminating at a proposed manhole located 4 feet East of and 15 ± lineal feet North of the Northwest corner of Lot #15 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

LATERAL "D-1":

Beginning at a proposed manhole within Louisedale Drive right-of-way located 15 ± lineal feet North of the Northwest corner of Lot #74 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3; thence West 228 ± lineal feet, terminating at an existing manhole located 25 ± lineal feet West of and 15 ± lineal feet North of the Northwest corner of Lot #76 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3.

LATERAL "D-2":

Beginning at a proposed manhole located within Louisedale Drive right-of-way 28 ± lineal feet West of and 16 ± lineal feet North of the Northeast corner of Lot #73 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3; thence due North 15 ± lineal feet West of the East right-of-way line of Hampton Avenue 686 ± lineal feet, terminating at a proposed manhole located 15 ± lineal feet West of and 5 ± lineal feet North of the Southwest corner of Lot #62 of Trixholme Addition, Section "C", as recorded in Plat Book 21, Page 29.

LATERAL "D-3":

Beginning at a proposed manhole located 10 ± lineal feet East of and 10 ± lineal feet South of the centerline intersection of Louisedale Drive and Kentland Avenue; thence North 10 feet East of and parallel to the centerline of said Kentland Avenue 700 ± lineal feet, terminating at a proposed manhole located 35 ± lineal feet East of and 12 ± lineal feet North of the Southeast corner of Lot #44 of Trixholme Addition, Section "C", as recorded in Plat Book 21, Page 29.

LATERAL "E":

Beginning at a proposed manhole located within the right-of-way of Morrow Way Drive where it joins Sylvia Plaza; thence Southwesterly generally following the East right-of-way line of Sylvia Plaza 680 ± lineal feet to a proposed manhole located within the right-of-way of Loch Lomond Drive 16 ± lineal feet South of and 7 ± lineal feet West of the Southwest corner of Lot #40 of Trixholme Addition, Section "B", as recorded in Plat Book 18, Page 170; thence Easterly 16 ± lineal feet South of and parallel to the North right-of-way line of Loch Lomond Drive 540 feet, terminating at a proposed manhole located 16 ± lineal feet South of and 10 ± lineal feet East of the Southwest corner of Lot #1 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

LATERAL "F":

Beginning at a proposed manhole within the right-of-way of Sherman Boulevard located 17 ± lineal feet North of and 14 ± lineal feet East of the Northeast corner of Lot #8 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121; thence Southerly 14 ± lineal feet East of and parallel to the West right-of-way line of Sherman Boulevard 516 ± lineal feet, terminating at a proposed manhole located 15 ± lineal feet East of and 20 ± lineal feet South of the Northeast corner of Lot #1 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

LATERAL "F-1":

Beginning at a proposed manhole within the right-of-way of Sherman Boulevard located 17 ± lineal feet North of and 14 ± lineal feet East of the Northeast corner of Lot #8 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121; thence North generally along and parallel to the West right-of-way line of Sherman Boulevard 380 ± lineal feet, terminating at a proposed manhole located 11 ± lineal feet East of and 10 ± lineal feet North of the Southeast corner of Lot #14 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

All sewers shall be 8, 10, 12 and 15-inches in diameter, and all located within the North east quarter of Section 27, Township 31 North, Range 12 East and lying fully within the corporate limits of the City of Fort Wayne.

In addition to the normal assessment due for the above-mentioned improvement resolution, there will be a tap-in fee in the amount of \$300 per acre area connection charge for interceptor resolution #131 as set forth and adopted in Board of Works minutes, April 26, 1961.

GUARANTY BOND

KNOW ALL MEN BY THESE PRESENTS, That we -----

-----HIPSKind ASPHALT CORP.----- Contractors

as principal and -----TRINITY UNIVERSAL INSURANCE COMPANY OF DALLAS,
TEXAS,-----

as surety, are held and firmly bound to the City of Fort Wayne, Indiana, in the sum of ONE HUNDRED
NINETY FOUR THOUSAND, ONE HUNDRED NINETY DOLLARS----- (\$ 194,190.00-----)

for the payment of which well and truly to be made we jointly and severally bind ourselves, our heirs,
executors, administrators, and assigns firmly by these presents.

The conditions of the above obligations are, that whereas the said -----

-----HIPSKind ASPHALT CORP.-----

did on the ----- day of ----- enter into a contract with the City
of Fort Wayne, Indiana, by and through its Board of Public Works, for the construction of a sewer in and
along (For Description See Page 1)

according to certain plans and specifications, and also warranting and guaranteeing the work, material and
conditions of the sewer as provided in the aforesaid contract, plans and specifications.

Now, if the said -----HIPSKind ASPHALT CORP.-----

----- shall faithfully perform and fulfill all the requirements of said war-
ranty and guaranty, and make all repairs required under said guarantee, and in the manner provided for,
then this bond to be null and void otherwise to be in full force and effect.

WITNESS our hands and seals this 8 day of Jan 19 73

TRINITY UNIVERSAL INSURANCE COMPANY

BY: Terence W. Wood
(Attorney-in-fact)

HIPSKind ASPHALT CORP. (SEAL)

BY: David L. Hipskind (SEAL)

ITS: Pres (SEAL)

Approved this 15 day of January 19 73

Ronald A. Bonar
Board of Public Works.

DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE BOARD
CITY HALL

To Whom It May Concern: Fort Wayne, Ind., 19

The time in which to complete the within contract is hereby extended by the Board of Public Works of the City of Fort Wayne, Indiana, until

Board of Public Works.

DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE BOARD
CITY HALL

To Whom It May Concern: Fort Wayne, Ind., 19

The time in which to complete the within contract is hereby extended by the Board of Public Works of the City of Fort Wayne, Indiana, until

Board of Public Works.

No. 19
CONTRACT AND BOND
of

for

Amount of Bond

Approved:

Dollars

Board of Public Works.

Recorded in Contract Record Book No.

Page Recorded in Imp. Res.

Record Book No. Page

Improvement Resolution No. 19

Cost per lineal foot \$

Assessment Roll Approved

Final Estimate Approved

8. Received the Plat of Eldrado Hills, Section II, submitted and approved by the City Plan Commission.

Approved.

June 15, 1973
Page 110

9. Received Water Improvement Resolution No. 1006-1972, final plans, estimate, specifications and property ownership list, prepared by the Water Engineering Department along the north side of Elmdale Drive, from the west property line of Hessen Cassel Road to the west property line of Lot #37, also on the Waycross Drive, from the south property line of Lot #35 to the existing Water Main on Sundale Drive, all in Hickory Grove Addition, Sections B & C.

Approved and adopted. A true copy of which Resolution No. 1006-1972 is incorporated by reference herein and appears in Minutes herein, under Resolution No. 1006-1972.

Advertise Notice to Property Owners, January 22, 1973.

Hearing on Confirmation Thursday, February 1, 1973 at 3:30 p.m.

Notices to be mailed January 22, 1973.

10. Received inspection report, from the Water Pollution Control Engineering Department and Completion Affidavit of Yost Companies, Inc., with Guaranty Bond in the amount of \$7000.00 signed by Indiana Bonding and Surety Company for Special Sewer - Hadley Road Racquet Sanitary Sewer Extension.

Approved.

Ordered acceptance letter written.

11. Permission was granted to Pettigrew & Sons, 333 Ley Road, to barricade the sidewalk on the Northwest corner of Jefferson and Calhoun Streets on Thursday, January 11, 1973 from 8:00 a.m. to 5:00 p.m.

Approved and permit was issued.

PURPOSE: Put roof on building on corner.

12. Permission was granted to Seko, Inc., Box 6131, to close the street from 1618 South Calhoun to 1622 South Calhoun Street on Monday, January 15, 1973 to Friday, January 19, 1973.

Approved and permit was issued.

PURPOSE: Tearing down building.

13. Received Change Order No. 1 in the amount of \$812.00, for Shambaugh & Son, Inc., prepared by Henry B. Steeg & Associates, Inc., Consulting Engineers, covering work performed under Interim Phosphorus Removal Plant

Approved and Ordered sent to the Common Council, Tuesday, January 23, 1973 at 8:00 p.m.

14. Received Contract, Guaranty and Liability Bonds of Hipskind Asphalt Corporation, in the amount of \$194,190.00, prepared by the Water Pollution Control Engineering Department, signed by Trinity Universal Insurance Company for Sewer Improvement Resolution No. 857-1972 - in the Trixholme Addition.

Approved.

Ordered Contract in the amount of \$194,190.00, sent to the Common Council Tuesday, January 23, 1973 at 8 p.m.

P.W.

DIGEST SHEET

TITLE OF ORDINANCE Special Ordinance #3039

DEPARTMENT REQUESTING ORDINANCE Board of Public Works

SYNOPSIS OF ORDINANCE Contract of Hipskind Asphalt Corp. in amount of \$194,190.00
for construction of a sanitary sewer in the Trixholme Addition area bounded on north by
Trick Ave., on the east by a line 200 feet east of and parallel to the east right-of-way
line of Sherman Blvd., bounded on south by Loch Lomond Dr. and the westerly extension
of the south right-of-way line of Loch Lomond Dr. to Spy Run Creek, bounded on the
west by Spy Run Creek. The City will be responsible for 40.5% of the total project
cost.

EFFECT OF PASSAGE Sanitary sewer service to properties in above area. Main purpose
for construction is to keep sewage from discharging into Spy Run Creek and Franke Park
Lake. Many complaints were filed in addition to letter from Board of Health requesting
us to remedy the situation.

EFFECT OF NON-PASSAGE Public Hearing was held and property owners are aware
of project. Much time and money for advertising, engineering, etc. would have been
wasted.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) Total project cost:

Contractor	\$194,190.00
Advertising	40.00
Engineering & Inspection	15,000.00
Approximately	\$209,230.00

ASSIGNED TO COMMITTEE (J.N.)

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

	BILL NO. <i>A-73-01-20</i>
	ORDINANCE NO. <i>A-07-73</i>
<i>X</i>	REGULAR SESSION <i>1-23-73</i>
	SPECIAL SESSION
	APPROVED AS TO FORM AND LEGALITY
	BILL WRITTEN BY <i>Bd. of Works.</i>
	DATE INTRODUCED <i>1-23-73</i>
	REFERRED TO SAID STANDING COMMITTEE
	REFERRED TO CITY PLAN
	LEGAL PUBLIC HEARING
	LEGAL PUBLICATION
	JOINT HEARING
	DEPARTMENT HEARING
	HOLD FILE
<i>X</i>	PASS <i>1-23-73</i>
	DO NOT PASS
	WITHDRAWN
<i>X</i>	SUSPENSION OF RULES <i>1-23-73</i>
	PRIOR APPROVAL
	ORDINANCE TAKEN OUT OF OFFICE
	OTHER INSTRUCTIONS REGARDING ORDINANCE
	CORRECTIONS MADE TO ORDINANCE
	PEOPLE SPEAKING FOR ORDINANCE
	PEOPLE SPEAKING AGAINST ORDINANCE

	COMMITTEE SHEET
<i>X</i>	VOTE SHEET
	PURCHASE ORDERS
	<i>Contract & Bond</i>
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS FROM
	ZONING MAPS
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

Regist. Sheet.

COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	<i>X</i>		
HINGA	<i>X</i>		
KRAUS	<i>X</i>		
MOSES	<i>X</i>		
NUCKOLS	<i>X</i>		
D. SCHMIDT	<i>X</i>		
V. SCHMIDT	<i>X</i>		
STIER	<i>X</i>		
TALARICO	<i>1</i>		

COMMENTS: